

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF GTE MOBILNET OF KENTUCKY )  
INCORPORATED FOR ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT A PERSONAL )  
COMMUNICATIONS SERVICE FACILITY IN THE )  
CINCINNATI-DAYTON MAJOR TRADING AREA ) CASE NO. 96-376  
("MTA") WHICH INCLUDES BOONE, KENTON, )  
CAMPBELL, GALLATIN, GRANT, PENDLETON, )  
BRACKEN, MASON, LEWIS, GREENUP, CARTER, )  
BOYD, ELLIOTT, LAWRENCE, JOHNSON, MARTIN, )  
FLOYD AND PIKE COUNTIES, KENTUCKY ("CVG )  
NO. 18/GOOD SHEPHERD FACILITY") )

O R D E R

The Commission has received the attached motion from Katherine Randall and William C. Gullett on behalf of their client, Highlands Health Care Realty, LTD ("Highlands Health Care"), regarding the proposed telecommunications services facility to be located at 930 Highland Avenue, Ft. Thomas, Campbell County, Kentucky.

IT IS THEREFORE ORDERED that:

1. GTE Mobilnet Incorporated ("GTE Mobilnet") shall respond to Highlands Health Care's concerns by certified letter, within 10 days from the date of this Order.
2. GTE Mobilnet shall file a copy of the certified letter and dated receipt, within 7 days of the date of the receipt.

Done at Frankfort, Kentucky, this 20th day of February, 1997.

ATTEST:

PUBLIC SERVICE COMMISSION

  
Executive Director

  
For the Commission

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RECEIVED

FEB - 7 1997

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COMMISSION

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THE CINCINNATI-DAYTON MAJOR TRADING )  
AREA ("MTA") WHICH INCLUDES BOONE, )  
KENTON, CAMPBELL, GALLATIN, GRANT, )  
PENDLETON, BRACKEN, MASON, LEWIS, )  
GREENUP, CARTER, BOYD, ELLIOTT, )  
LAWRENCE, JOHNSON, MARTIN, FLOYD AND )  
PIKE COUNTIES, KENTUCKY ("CVG NO. )  
18/GOOD SHEPHERD FACILITY") )

Case No. 96-376

MOTION FOR FULL  
INTERVENTION

Comes Highlands Health Care Realty, LTD ("Highlands Health Care"), by and through counsel, pursuant to 807 KAR 5:001, Section 3(8), and hereby moves the Commission for leave to intervene as a party in the above-captioned proceeding, and respectfully requests that it be granted full intervention on the following grounds:

1. Highlands Health Care, which has a mailing address of 960 Highland Avenue, Ft. Thomas, Kentucky 41075, was notified by GTE Mobilnet Incorporated ("GTE Mobilnet") through counsel of its Application for a Certificate of Public Convenience and Necessity to locate, construct and operate a new personal communications service facility (the "PCS Facility") within five hundred feet (500') of Highlands Health Care facilities.

2. The location of the PCS Facility, which consists of a one hundred fifty foot (150') monopole with attached antennae extending upwards for a total height of one hundred fifty-five feet (155')

and an equipment cabinet, is to be placed on property (owned by the Provincial Convent of the Good Shepherd) immediately adjacent to the nursing and health care complex of Highlands Health Care and its proposed construction of a multi-million dollar assisted living complex or facility.

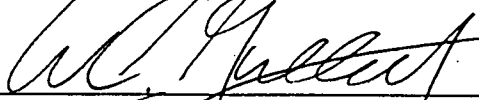
3. Highlands Health Care believes that the proposed location of the PCS Facility will have a significant adverse impact on the value, use and operation of its nursing, health care and proposed assisted living complexes or facilities. Further, placement of the PCS Facility at the proposed location may have certain safety ramifications which require addressing.

4. Highlands Health Care believes, given the size in total acreage of the property of the Provincial Convent of the Good Shepherd, the PCS Facility could and should be located at another location which will not adversely impact the property of Highlands Health Care or the property of other adjacent property owners. Additionally, Highlands Health Care believes there are other sites on the property of the Provincial Convent of the Good Shepherd that are optimal in terms of elevation and location which will provide the best quality service to Mobilnet's customers in the MTA.

5. Highlands Health Care has a special interest in this proceeding which it believes will not be adequately represented unless full intervention in the proceeding is granted, and such intervention, if granted, is likely to present issues or to develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding.

WHEREFORE, Highlands Health Care requests that full intervention be granted in the above-captioned proceeding.

Respectfully submitted,



Katherine Randall  
William C. Gullett  
BROWN, TODD & HEYBURN PLLC  
Suite 1500  
50 East RiverCenter Boulevard  
Covington, KY 41011-1508  
606/431-5550

Counsel for Intervening Party,  
Highlands Health Care Realty, LTD

CERTIFICATE OF SERVICE

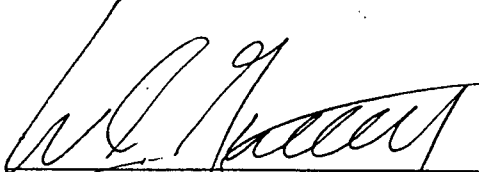
I hereby certify that a true and accurate copy of the foregoing was served by ordinary United States mail, postage prepaid, this 6th day of February, 1997 upon the following:

W. Brent Rice, Esq.  
McBrayer, McGinnie, Leslie  
& Kirkland  
Suite 300  
163 West Short Street  
Lexington, KY 40507-1361

Joe and Kim Weyer  
931 Highland Avenue  
Ft. Thomas, KY 41075

Gary and Joan Merrifield  
918 Highland Avenue  
Ft. Thomas, KY 41075

Mr. Dan Niemer  
926 Highland Avenue  
Ft. Thomas, KY 41075



William C. Gullett

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O R D E R

This matter arising upon the motion of Highlands Health Care Realty, LTD ("Highlands Health Care"), filed February 7, 1997, and it appearing to the Commission that Highlands Health Care has a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS THEREFORE ORDERED that:

1. The motion of Highlands Health Care to intervene is granted.
2. Highlands Health Care shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Should Highlands Health Care file documents of any kind with the Commission in the course of these proceedings, it shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 20th day of February, 1997.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt  
For the Commission

ATTEST:

Da Melt

Executive Director